

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ARGONAUT INSURANCE COMPANY,

Plaintiff

vs.

PAYSIGN, INC., MARK R. NEWCOMER,
MARK ATTINGER, DANIEL R. HENRY,
JOAN M. HERMAN, BRUCE A. MINA,
DANIEL H. SPENCE, DENNIS TRIPLETT,
and QUINN WILLIAMS,

Defendants

Case No. 2:23-cv-00713-RFB-NJK

**ORDER GRANTING
STIPULATION TO EXTEND TIME
FOR DEFENDANTS TO RESPOND TO
COMPLAINT**

(Fifth Request)

1 Pursuant to LR IA 6-1 and LR 7-1, the parties, through their respective counsel, stipulate
2 to extend the time for Defendants to file their response to Plaintiff's Complaint for Declaratory
3 Relief (ECF No. 1). The parties submit that good cause exists for this stipulation based on the
4 following:

5 1. Plaintiff filed its Complaint on May 5, 2023 (ECF No. 1).

6 2. The Complaint was served on defendant Paysign, Inc. on or about June 7, 2023.

7 3. Subsequent to this initial service, attorney Brian G. Friel, who represents Paysign,
8 Inc., advised that his office will be among the attorneys representing all Defendants, and agreed to
9 accept service of the Complaint on behalf of all remaining unserved Defendants.

10 4. As part of this procedural cooperation between the parties, the parties initially
11 agreed that all Defendants will have until July 28, 2023 to respond to the Complaint, and the parties
12 submitted a stipulation to this effect (ECF No. 17).

13 5. Since that time, the parties have been actively engaged in discussions regarding
14 the merits of the issues raised in the Complaint in an attempt to avoid the time and expense of further
15 litigation. To facilitate these ongoing discussions, the parties agreed that an additional 30-day
16 extension for Defendants to respond to the Complaint would be mutually beneficial. The parties
17 stipulated to this extension, which provided Defendants with an extension to respond to the
18 Complaint to August 28, 2023. (ECF No. 19). For these same reasons, the parties agreed to two
19 further additional 30-day extensions for Defendants to respond to the Complaint. (ECF Nos. 21, 22).
20 The current response deadline is October 27, 2023. (ECF No. 23).

21 6. The parties continue to actively engage in settlement discussions, and have
22 enlisted the assistance of a mediator. However, an agreement has not yet been reached. The parties
23 agree that an additional 30-day extension will be mutually beneficial to continue to facilitate the
24 ongoing settlement dialogue. The parties therefore agree and respectfully submit that good cause
25 exists for an additional 30-day extension, or to November 27, 2023, for Defendants to respond to
26 the Complaint.

7. This stipulation constitutes the parties' fifth requested extension of time.

Dated this 23rd day of October, 2023

Dated this 23rd day of October, 2023

LEWIS BRISBOIS BISGAARD & SMITH LLP

LEMONS, GRUNDY & EISENBERG, PC

/s/ Jeffrey D. Olster

/s/ Christian L. Moore

Jeffrey D. Olster
Nevada Bar No. 8864
6385 S. Rainbow Boulevard, Suite 600
Las Vegas, Nevada 89118
Attorneys for Plaintiff
ARGONAUT INSURANCE COMPANY

Christian L. Moore
Nevada Bar No. 3777
6005 Plumas Street, Third Floor
Reno, Nevada 89519
Attorneys for Defendants
PAYSIGN, INC., MARK R. NEWCOMER, MARK
ATTINGER, DANIEL R. HENRY, JOAN M.
HERMAN, BRUCE A. MINA, DANIEL H.
SPENCE, DENNIS TRIPLETT and QUINN
WILLIAMS

IT IS SO ORDERED:


UNITED STATES MAGISTRATE JUDGE

DATED: October 24, 2023